

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Mark Charles Sigular
Michelle Lee Sigular
Debtor(s)

Bankruptcy Case No.: 19-10363-TPA
Per October 15, 2019 Proceeding
Chapter: 13
Docket No.: 36 – 15, 31
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated May 6, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PNC Bank (Claim No. 4) .
- ☒ H. Additional Terms: 1) Hyundai Lease Trust (Claim No. 1) governs as to amount and payments.
2) The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified Plan terms: M&% Bank (Claim No. 14).

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: October 17, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Mark Charles Sigular
 Michelle Lee Sigular
 Debtors

Case No. 19-10363-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

Page 1 of 3
 Total Noticed: 63

Date Rcvd: Oct 17, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 19, 2019.
 db/jdb

+Mark Charles Sigular, Michelle Lee Sigular, 1386 Thompson Hill Road,
 Russell, PA 16345-2526
 sp +Charles S. DeAngelo, Fessenden, Laumer & DeAngelo PLLC, 81 Forest Avenue, P.O. Box 0590,
 Jamestown, NY 14702-0590
 15060056 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 15030697 +Amex, Po Box 297871, Fort Lauderdale, FL 33329-7871
 15030698 +Barclays Bank Delaware, PO Box 8803, Wilmington, DE 19899-8803
 15030702 +Cbna, Po Box 6497, Sioux Falls, SD 57117-6497
 15038849 +Chiari & Ilecki, c/o Melissa Overbeck Esquire, 1 Delaware Road, Suite 110,
 Buffalo, NY 14217-2743
 15073009 +Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
 15030703 +Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
 15030713 +Fnb Omaha, Po Box 3412, Omaha, NE 68103-0412
 15032739 +Hyundai Lease Titling Trust, PO Box 20825, Fountain Valley, CA 92728-0825
 15030716 +Kia Motors Finance, 10550 Talbert Avenue, Fountain Valley, CA 92708-6031
 15062110 +M&T BANK, P.O. BOX 1508, BUFFALO, NY 14240-1508
 15030717 +Macys / Dsnb, Po Box 8218, Mason, OH 45040-8218
 15030718 +Mercury Card / Fb&t / Tsys, 1415 Warm Springs Road, Columbus, GA 31904-8366
 15030719 Mfgs & Traders Trust, Po Box 7678, Buffalo, NY 14240
 15052362 +PERI GARITE, ATTN CARD WORKS, 101 CROSSWAYS PARK DR W, WOODBURY NY 11797-2020
 (address filed with court: First National Bank of Omaha, 1620 Dodge St., Stop Code 3105,
 Omaha, NE 68197)
 15071430 +PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101-4982
 15049494 +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
 15030720 +Pnc Bank, N.a., 1 Financial Parkway, Kalamazoo, MI 49009-8002
 15030721 +Pnc Mortgage, Po Box 8703, Dayton, OH 45401-8703
 15030722 +Southern Chautauqua Federal CU, 168 East Fairmount Avenue, Lakewood, NY 14750-1942
 15035357 +Southern Chautauqua Federal Credit Union, c/o Chiari & Ilecki, LLP, 1 Delaware Rd. Ste. 110,
 Buffalo, NY 14217-2743
 15030735 +Usaa Savings Bank, 10750 Mc Dermott, San Antonio, TX 78288-1600

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

+E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 18 2019 03:49:25
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15030696 +E-mail/Text: ally@ebn.phinsolutions.com Oct 18 2019 03:22:16 Ally Financial,
 200 Renaissance Center, Detroit, MI 48243-1300
 15030699 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 18 2019 03:28:29 Capital One,
 Po Box 30253, Salt Lake City, UT 84130-0253
 15030700 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 18 2019 03:27:47
 Capital One / Maurices, Po Box 30258, Salt Lake City, UT 84130-0258
 15052365 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 18 2019 03:28:29
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15030701 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 18 2019 03:29:12
 Capital One Bank Usa NA, Po Box 30281, Salt Lake City, UT 84130-0281
 15030704 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 18 2019 03:22:27 Comenity Bank / Beallsfl,
 Po Box 182789, Columbus, OH 43218-2789
 15030705 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 18 2019 03:22:27 Comenity Bank / Bonton,
 Po Box 182789, Columbus, OH 43218-2789
 15030706 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 18 2019 03:22:27 Comenity Bank / Hot Topic,
 Po Box 182789, Columbus, OH 43218-2789
 15030707 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 18 2019 03:22:28
 Comenity Bank / Kay's Jewelers, Po Box 182789, Columbus, OH 43218-2789
 15030708 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 18 2019 03:22:28 Comenity Bank / NY & Co,
 Po Box 182789, Columbus, OH 43218-2789
 15030709 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 18 2019 03:22:28
 Comenity Bank / Victoria Secret, Po Box 182789, Columbus, OH 43218-2789
 15030710 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 18 2019 03:22:28
 Comenity Capital Bank / Overstock, Po Box 182120, Columbus, OH 43218-2120
 15030711 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 18 2019 03:22:28
 Comenity Capital Bank / Zales, Po Box 182120, Columbus, OH 43218-2120
 15030712 E-mail/Text: mrdiscen@discover.com Oct 18 2019 03:22:16 Discover Financial Services LLC,
 PO Box 15316, Wilmington, DE 19850
 15073011 E-mail/Text: bnc-quantum@quantum3group.com Oct 18 2019 03:22:31
 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 15034185 E-mail/Text: mrdiscen@discover.com Oct 18 2019 03:22:16 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15070954 E-mail/Text: JCAP_BNC_Notices@jcap.com Oct 18 2019 03:22:54 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 15030714 +E-mail/Text: BKRMailOPS@weltman.com Oct 18 2019 03:22:25 Kay Jewelers, 375 Ghent Road,
 Akron, OH 44333-4600

District/off: 0315-1

User: vson
Form ID: 149

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Total Noticed: 63

Date Rcvd: Oct 17, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15030715 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Oct 18 2019 03:22:53 Keybank Na,
4910 Tiedman Road, Brooklyn, OH 44144-2338
15052056 E-mail/PDF: resurgentbknotifications@resurgent.com Oct 18 2019 03:28:38 LVNV Funding, LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15072490 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 18 2019 03:47:04
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15068114 E-mail/Text: bnc-quantum@quantum3group.com Oct 18 2019 03:22:31
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
15068112 E-mail/Text: bnc-quantum@quantum3group.com Oct 18 2019 03:22:31
Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,
Kirkland, WA 98083-0788
15030723 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:29:07 Synch / Amazon, Po Box 965015,
Orlando, FL 32896-5015
15030724 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:29:07 Synch / American Eagle DC,
Po Box 965005, Orlando, FL 32896-5005
15030725 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:29:07 Synch / At Home PLCC,
Po Box 965013, Orlando, FL 32896-5013
15030726 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:28:24 Synch / Care Credit,
Po Box 965036, Orlando, FL 32896-5036
15030727 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:29:07 Synch / Citgo, Po Box 965004,
Orlando, FL 32896-5004
15030728 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:29:07 Synch / JCPenney, Po Box 965007,
Orlando, FL 32896-5007
15030729 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:28:25 Synch / Lowes, Po Box 956005,
Orlando, FL 32896-0001
15030730 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:28:25 Synch / Paypal Extras Mc,
Po Box 965005, Orlando, FL 32896-5005
15030731 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:29:07 Synch / Sams Club,
Po Box 965005, Orlando, FL 32896-5005
15030732 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:29:07 Synch / Sams Club Dc,
Po Box 965005, Orlando, FL 32896-5005
15030733 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:28:25 Synch / Synchrony Home,
Po Box 965036, Orlando, FL 32896-5036
15030734 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:28:25 Synch / TJMaxx, Po Box 965015,
Orlando, FL 32896-5015
15031693 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:27:44 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15068856 +E-mail/PDF: gecsedirecoverycorp.com Oct 18 2019 03:29:08 Synchrony Bank,
c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15030736 +E-mail/Text: bnc-bluestem@quantum3group.com Oct 18 2019 03:23:02 Webbank / Fingerhut,
6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 39

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK NATIONAL ASSOCIATION

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 19, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 17, 2019 at the address(es) listed below:

Daniel P. Foster on behalf of Debtor Mark Charles Sigular dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
Daniel P. Foster on behalf of Joint Debtor Michelle Lee Sigular dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com

District/off: 0315-1

User: vson
Form ID: 149

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

James Warmbrodt on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5